## L'Hommedieu Law Office, P.A.

190 Bates Street Lewiston, ME 04240

E. Chris L'Hommedieu, Esq. Stephen Sucy, Esq. (Admitted in ME, NH) Melissa J. Boucher, Paralegal

RECEIVED

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EPA ORC
Office of Regional Hearing Clerk

November 15, 2009

Wanda Santiago Regional Hearing clerk USEPA, Region 1 One Congress Street, Suite 1100 (RAA) Boston MA 02114-2023

RE:

Administrative Complaint and Notice of Opportunity for Hearing

In the matter of Lin-Cor Environmental LLC

Docket# RCRA-01-2009-0081

By fax to:

617-918-0113 (Regional Hearing Clerk's Office)

617-918-0180 (Amanda at EPA)

Dear Ms. Santiago:

Please find following my motion to expand the time to file an answer in this matter and an answer for Lin-Cor Environmental.

With my best wishes I remain,

Very Truly Yours.

/s/E. Chris L'Hommedieu

E. CHRIS L'HOMMEDIEU, ESQ.

ECL/mjb

Bankruptcy Personal Injury Family Law Criminal Law

In the Matter Of:	)
	) EPA Docket# RCRA-01-2009-0081
Lin-Cor Environmental LLC 276 Dow Highway Eliot Maine 03903	) MOTION TO EXPAND THE TIME ) TO FILE AN ANSWER
RESPONDENT	RECEIVED NOV 1 7 2009
Proceeding under Section 3008(a) of the Resource Conservation Act 42 USC 6928(a)	EPA ORC Office of Regional Hearing Clerk

NOW COMES the respondent, Lin-Cor Environmental LLC and moves to expand the time to file an answer to the complaint in this matter as follows:

- 1. I am writing to request that this court further extend the time allowed to respond to the EPA complaint in this matter. An answer was to have been filed by 11/1/09. I have discussed this with Amanda Helwig and she does not consent to the extension being granted.
- 2. By way of explanation, the parties met in Boston to discuss the facts of this case, and to discuss a possible resolution. Linda Corbin, the only remaining member of Lin-Cor Environmental LLC, indicated she would seek resolution by proving inability to pay, as Lin-Cor has ceased to operate following a disastrous collapse in the scrap market. EPA indicated a willingness to review such a request, and required Lin-Cor to provide certain documents to review the request. Linda, unfortunately, had not even prepared many of the documents. Linda has been trying to prepare and file the company's tax returns, but her brother had taken the hard drive from the company computer and she was unable to complete the returns. She has been struggling to do this without the financial data, and has been facing threats of criminal prosecution by the IRS if she did not complete the filnigs. She has completed pro-forma tax filings, but they will need to be amended. These returns were among the documents requested by EPA. There were other documents requested that Linda has been unable to locate. In short, Linda has not been able to produce any of the documents requested by EPA to complete the ability to pay review.
- 3. To add to this, I am currently in Argentina on vacation. In the extremely difficult world of preparing for vacation when one runs a small law office, one hopes not to overlook deadlines, but that happened here, and I apologize for that. My vacation, naturally, is no excuse for missing this deadline, I offer the circumstances by way of explanation instead.
- 4. For these reasons it is my request the tribunal further extend the deadline to file an answer to the complaint in this matter. The delay in filing the answer will cause no prejudice to any party.

## RESPECTFULLY SUBMITTED

Dated: 11/15/2009

E. Chris L'Hommedieu, Esq., Bar No. 8299

Attorney for Plaintiff
L'Hommedieu Law Office, P.A.

190 Bates Street

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	1
In the Matter Of:	)
	) EPA Docket# RCRA-01-2009-0081
Lin-Cor Environmental LLC 276 Dow Highway Eliot Maine 03903	) ANSWER TO COMPLAINT )
RESPONDENT	RECEIVED
Proceeding under Section 3008(a) of the Resource Conservation Act 42 USC 6928(a)	NOV 1 7 2009
	EPA ORC Office of Regional Hearing Clerk

NOW COME the respondent, Lin-Cor Environmental LLC and answers the EPA complaint as follows:

- 1. Respondent admits the allegations contained in paragraphs 1, 2 (to the extent the allegation is that EPA notified Lin-Cor of this proceeding), 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 16, 17 (to the extent the allegation asserts violations were claimed), 18, 19, 20, 24, 28 (but denies that any ignition or fire could have occurred), 33, 24, 37, 40, 41, 44, 45, 50, 51, 55, 56, 61, 62, 66, 67, 71, 72.
- 2. Respondent denies the allegations contained in paragraphs 12, 15, 21, 22, 23, 25, 26, 27, 29, 30, 31, 32, 35, 36, 38, 39, 42, 43, 46, 47, 48, 49, 52, 53, 54, 57, 58, 59, 60, 63, 64, 65, 68, 69, 70, 73, 74.
- 3. Respondent is without sufficient information to admit or deny the allegations in paragraph 13 and therefore denies the same.
- 4. An admission of any paragraph that asserts an incorporation by reference of any preceding paragraphs is not an admission as to the truth of the preceding paragraphs, and is merely an admission that the prior paragraphs are incorporated by reference.
- 5. Respondent requests a hearing on all matters in the complaint.
- Respondent contests all factual assertions which would support a claim of violations as indicated by the answers and denials above.

Dated: 11/15/2009

E. Chris L'Hommedieu, Esq., Bar No. 8299

Attorney for Plaintiff

L'Hommedieu Law Office, P.A.

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- 2. Respondent denies the allegations contained in paragraphs 12, 15, 21, 22, 23, 25, 26, 27, 29, 30, 31, 32, 35, 36, 38, 39, 42, 43, 46, 47, 48, 49, 52, 53, 54, 57, 58, 59, 60, 63, 64, 65, 68, 69, 70, 73, 74.
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Dated: 11/15/2009

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Attorney for Plaintiff

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